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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): YOR920000632US1

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on _____

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Application Number	Filed
09/664,479	9-18-2000

First Named Inventor: Chapman

Art Unit	Examiner
2618	Tu Nguyen

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- [ ] applicant/inventor.
- [ ] assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- [X] attorney or agent of record. Registration number 30,374
- [ ] attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

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30 January 2008
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[X] *Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The present application teaches and claims a network node device for automatically, dynamically, and selectively connecting one or more telephone wirelines to one or more wireless connections, with the aim of providing dynamic selective bridging of both incoming and outgoing calls to and from wireless devices based on unique identifying information, including privacy policies associated with the wireless devices to which the wireless connections are being made.

Under the present invention, while multiple devices may share a telephone number, and the associated wireline, the inventive network node and method allows selective connection across the different devices based on the unique information associated with each specific device, such that multiple co-pending incoming calls to a single telephone number can be connected between multiple different wireless devices even when the wireless devices share the same telephone number.

The Examiner has rejected all of the pending claims as anticipated by the Jonsson patent teachings. The Jonsson patent is directed to a system and method for providing telephone service to each member of a group of

subscribers. Under the Jonsson patent teachings, a subscriber group shares a subscription or account with a telephone provider. The overall account has limits as to how many channels and how many minutes can be used by the subscriber group (Col. 4, lines 10-12 and 33-34). Requests to call out of the group are "parked" at a service node and calls are placed by the service node (Col. 5, lines 16-28) when the service node confirms that channels and minutes are available for the subscription account.

The Jonsson system does not generate call processing signals based on "unique service information of service available to each of a plurality of wireless devices" as is expressly claimed in each of the independent claims of the present application. Further, Jonsson does not "make and break one or more interconnections…to connect multiple co-pending incoming calls for the same single telephone number to more than one of the plurality of wireless devices sharing that single telephone number in response to said call processing signals". Jonsson does not use service information which is unique to each device for determining call processing. Rather, Jonsson

uses group information to determine if channels and minutes can be allocated. Further, Jonsson does not teach or suggest connecting multiple calls to a single number to multiple wireless devices.

The Examiner points to the Jonsson language that states "the service logic may also selectively allow a preselected number of simultaneous calls" (Col. 5, lines 58-60), however those teachings refer only to outgoing calls by subscribers on the limited number of channels. A call in to the subscriber group is either a call to a single subscriber, identified by distinct and specific subscriber numbers (Col. 8, lines 62-65, or a call to the group that can be answered by only one subscriber (Col. 6, lines 18-24; Col. 8, lines 60-62; and Col. 9, lines 16-17).

The Examiner "[i]nterprets that, in col. 4 lines 29-35, the system allows multiple incoming and outgoing calls simultaneously." Applicants respectfully point out that the cited passage expressly "provides for a subscription group within which each member of that group, for example, a family or a small business, has a private mobile telephone having its own identity in a

mobile telephone network." Clearly Jonsson is not teaching that there is a single shared telephone number for a plurality of mobile devices. In the next lines of the cited passage, Jonsson states that "the system limits the number of traffic channels which can be used simultaneously by the members of the group for either outgoing or incoming calls to a predetermined number of channels." However, the outgoing or incoming calls are to or from each "private mobile telephone having its own identity in a mobile telephone network" and not to or from a single shared telephone number.

Anticipation under 35 USC 102 is established only when a single prior art reference discloses each and every element of a claimed invention. See: In re Schreiber, 128 F. 3d 1473, 1477, 44 USPQ2d 1429, 1431 (Fed. Cir. 1997); In re Paulsen, 30 F. 3d 1475, 1478-1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994); In re Spada, 911 F. 2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990) and RCA Corp. v. Applied Digital Data Sys., Inc., 730 F. 2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

Since Jonsson does not teach or suggest all of the claim features, and specifically does not teach a switch

and steps for connecting multiple co-pending incoming calls, which overlap in time, for the same single called telephone number to more that one wireless device, the Examiner has erred in concluding that the claimed invention is anticipated by the Jonsson patent teachings. Applicants request withdrawal of the final office action and reopening of the prosecution of the application.